



# COMMONWEALTH of VIRGINIA

NELSON SMITH  
COMMISSIONER

DEPARTMENT OF  
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

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## OFFICE OF LICENSING DBHDS 2023 COMBINED STUDY WORKGROUP

### MINUTES

Meeting #1, July 20, 2023

1:00 PM – 3:30 PM

*This meeting was conducted entirely electronically.*

#### **I. INTRODUCTION AND WORKGROUP OBJECTIVES**

Dr. Dev Nair, Assistant Commissioner, Division of Provider Management, convened the DBHDS 2023 Combined Study Workgroup convened in accordance with [HB2255 \(Hodges\)/SB1155 \(Mason\)](#) and [SB1544 \(Rouse\)](#). He thanked the workgroup members for agreeing to participate regarding the combined study of certain aspects of the department's licensing and human rights regulations. He conducted introductions of members and staff present.

Dr. Nair reviewed the directives from the study legislation, including the report due to the General Assembly. He reviewed the workgroup objectives:

- A. Review DBHDS regulations to identify reforms that could increase efficiency, reduce redundancy, and decrease regulatory burdens on providers.
- B. Consider how relief from licensing requirements may be authorized for accredited providers.
- C. Consider adjustments to the frequency of licensing inspections for triennial license holders.
- D. Review regulations to simplify reporting of allegations of abuse, neglect, and exploitation and incidents classified as Level II and Level III.
- E. Consider balancing reduction in oversight with assurance of health, safety, and quality.

#### **II. PRESENTATION OF SURVEY RESULTS**

Dr. Nair presented the results of a survey DBHDS conducted from July 6 – July 16, 2023. Notice was distributed to the workgroup, agency stakeholder lists, and posted in a general notice on Town Hall. In all communications it was sent with a request to all to distribute it widely in. There were 298 responders. While the focus of the workgroup was mostly on the work of providers, it was important to get comment

from all types of stakeholders. The full results by type of respondent were posted after the meeting [here](#).

### **III. FINDINGS FROM OTHER STATES**

Ms. Jae Benz, Director, Office of Licensing, presented initial research on activities in other states accepting accreditation in lieu of licensing, or ‘deemed’ accreditation. An interesting piece is that many other states varied in their licensing approach in comparison to Virginia, which is unique in that it licenses from only one office (Licensing) for all clinical services for all abilities and types of services. In other states, the licensing responsibilities are divided across multiple offices or agencies, by population or type of setting. Therefore, in those states, a provider might have multiple inspections in a year from the different offices. Ms. Benz reviewed information from: Connecticut, Illinois, Indiana, Maryland, Missouri, North Carolina, Ohio, and Tennessee.

Dr. Nair made clear that in depth study of other states or crosswalks with accreditation requirements and regulations would require resources beyond what was available for this study. Members agreed with this need for resources.

### **IV. QUESTIONS AND DISCUSSION**

In addition to clarifying questions regarding the survey and information from other states, the discussion was framed around four main questions:

- A. Based on research from other states that are using accreditation, it may be advisable to begin with a pilot program. What recommendations does the group have for structuring a pilot?
  - a. Focus on a particular region of the state?
  - b. Focus on a particular service, or group of services?
- B. What other background research would be helpful before moving forward with implementation of deemed accreditation?
  - a. Crosswalk between regulations and accreditation standards?
  - b. Interviews with other states, or accreditation organizations?
- C. Some states that use accreditation to deem licensing compliance have also required accreditation as a pre-requisite for licensure. Is this something that should be considered?
- D. There were many recommendations to change the requirement for reporting serious incidents and complaints involving abuse/neglect from 24 hours to next business day.
  - a. What risks/concerns do stakeholders have with such a change? What other safeguards are in place to ensure the health and safety of individuals in the interim from incident to report?
  - b. Should reporting requirements be different for different types of incidents, or abuse/neglect?

Specifically, discussion included that the group is very interested in further study regarding how deemed accreditation works in other states, interviews with other states, and a possible crosswalk of DBHDS licensing regulations and accreditation standards. The group also expressed interest in what the purpose of serious incident reporting serves and asked the department for further information regarding what the

department does with the reported information. Finally, the group asked for more information regarding how many providers hold a triennial license.

**V. PUBLIC COMMENTS**

Dr. Nair reported prior to the question and discussion period that a time for public comment was set aside as the last item in each meeting for 20 minutes. However, no person indicated a desire to give comment nor had any person provided written public comment by the published deadlines prior to the meeting, which allowed more time for discussion.

**VI. CONCLUSION AND NEXT STEPS**

Dr. Nair thanked the members of the workgroup for their time.

**NEXT MEETING: JULY 27, 2023**

Members or Acting Alternates Present:

Karin Addison; Barbara Barlow; John Cimino; Jennifer Faison; Shannon Hartung; Hannah Hirschland; Jen Krajewski; Paige McCleary; Emily McClellan; Colleen Miller; Tonya Milling; Heather Orrock; Laura Reed; Deanna Rennon; Cheryl Roberts; Karen Tefelski; Michael Triggs; Jennifer Wicker.

DBHDS Staff Present:

Jae Benz; Tonya Carr; Veronica Davis; Mackenzie Glassco; Taneika Goldman; Chesna Gore; Madelyn Lent; Dev Nair; Susan Puglisi; Candace Roney; Ruth Anne Walker; Britt Welch.

Others Present:

Kim Ackerman	Michele Elliott	Elizabeth McCuean
Antonio Aderonmu	T Feagans	Teresa McNally
Amber Allen	Joe Getch	Allison Meyer
Alyssa	Tonya Grimes	Moms In Motion
Joel Andrus	E Harris	Nina Moskowitz
S Bakely	Lori Harris	Jan Nelson
Barbara Beverage	LaBrenda Haynes	Michele Nester
LeVar Bowers	S Hargreaves	Matt Osborne
Katie Boyle	Helen Holz	Christine Parker
Cherodnicker Brown	Lorie Horton	Elizabeth Parker
Catherine Caudill	Robbins Houston	Sheandar Peterkin
Meneika Chandler	Tara Hutcheson	Portia
Wendy Cheatem	Erica J.	Cate Powell
Laura Chitwood	Ms. Jaye	Holly Rhodenhizer
Brian Chizuk	Rashida Jenkins	Crystal Rodriguez
Charmaine Claiborne	Megan Johnson	Pattie Schneeman
Casey Clarke	Brian Jones	Shanirah
Vera Correia	Monica Karavanic	Kimberly Shepherd
Rhonda Council	Jenae Moore Kemetic	Amy Smith
David Crews	JS Kirven	Lavinia Smith
Christy (Hall) Crigger	Courtney Lakin	Stephan Stark
Lynn Davis	Vanessa Lane	Dan Sullivan
Dana Dewing	Lucas	Sola Inc./Robyn Sweet
Virginia Dingler	Thomas Luttrell	Tara

Emily Theimer  
Janis Thomas  
Lynn Turner  
Claiborne Watkins

John Weatherspoon  
Ethan Wheaton  
Genhi Whitmer  
Gary Wilburn

Veronica Williams  
15404318360  
18048155292

**DBHDS 2023 Combined Study Workgroup Members**

<b>Type</b>	<b>Organization</b>	<b>Title</b>	<b>Initial Point of Contact</b>
Advocacy-DD	The Arc of Virginia	Executive Director	<b>Tonya Milling</b>
Advocacy-Individuals	Centers for Independent Living	Centers for Independent Living	<b>Maureen Hollowell</b>
Advocacy-MH	Mental Health America-Virginia	Local Director	<b>Barbara Barlow</b>
Advocacy-MH	National Alliance on Mental Health-Virginia	Executive Director	<b>Kathy Harkey</b>
Advocacy-MH	VOCAL	Executive Director	<b>Heather Orrock;</b> <b>Martin Mash</b>
Advocacy-Protection and Advocacy	DisAbility Law Center of Virginia	Executive Director	<b>Colleen Miller; John Cimino</b>
Advocacy-Providers	Loudoun County (SB1544)	Assistant Director, MHSADS	<b>Hannah Hirshland;</b> <b>Carlinda Kleck</b>
Advocacy-Providers	Loudoun County (SB1544)	Loudoun County Legislative Liaison	<b>John Freeman;</b> <b>Karin Addison</b>
Advocacy-Providers	Provider-Pinnacle	Chief Clinical Officer	<b>Lori Ryland</b>
Advocacy-Providers	VaACCSES	Executive Director	<b>Karen Tefelski</b>
Advocacy-Providers	Virginia Association of Community Services Boards	Executive Director	<b>Jennifer Faison;</b> <b>Circe Black; Nicole Lewis</b>
Advocacy-Providers	Virginia Association of Community-Based Providers	Executive Director	<b>Mindy Carlin</b>
Advocacy-Providers	Virginia Coalition of Private Provider Associations	President	<b>Michael Triggs;</b> <b>Bill Elwood</b>
Advocacy-Providers	Virginia Hospital and Healthcare Association	Senior Director of Policy and Government Affairs	<b>Jennifer Wicker</b>

Advocacy-Providers	Virginia Network of Private Providers	Operations Officer-Eastern Division, Wall Residences	<b>Deanna Rennon; Jennifer Fidura</b>
Agency	DBHDS	Associate Director	<b>Angelica Howard</b>
Agency	DBHDS	Licensing Legal and Regulatory Manager	<b>Chesna Gore</b>
Agency	DBHDS	Assistant Commissioner, Division of Provider Management	<b>Dev Nair</b>
Agency	DBHDS	Assistant Commissioner, DD	<b>Heather Norton</b>
Agency	DBHDS	Director of Licensing	<b>Jae Benz</b>
Agency	DBHDS	Associate Director for Community Operations	<b>Jennifer Kovack</b>
Agency	DBHDS	Legislation Manager	<b>Josie Mace</b>
Agency	DBHDS	Associate Director	<b>Mackenzie Glassco</b>
Agency	DBHDS	Policy Manager	<b>Madelyn Lent</b>
Agency	DBHDS	Deputy Commissioner, Policy and Public Affairs	<b>Meghan McGuire</b>
Agency	DBHDS	Community Integration Manager	<b>Michele Laird</b>
Agency	DBHDS	Director of Regulatory Affairs	<b>Ruth Anne Walker</b>
Agency	DBHDS	Regulatory and Research Specialist	<b>Susan Puglisi</b>
Agency	DBHDS	State Human Rights Director	<b>Taneika Goldman</b>
Agency	DBHDS	Legal Operations Manager	<b>Tonya Carr</b>
Agency	DBHDS	Associate Director of State Licensing	<b>Veronica Davis</b>
Agency	Department for Aging and Rehabilitative Services - APS	APS Director	<b>Paige McCleary</b>

Agency	Department of Medical Assistance Services	Policy, Regulation, and Member Engagement Division Director	<b>Emily McClellan</b>
Agency	Department of Medical Assistance Services	BH Division Director	<b>Lisa Jobe-Shields;</b> <b>Laura Reed</b>
Agency	Department of Social Services - CPS	Program Manager, Quality Assurance and Accountability	<b>Jennifer Phillips</b>
Agency	Department of Social Services - CPS	Protection Program Manager, Division of Family Services	<b>Shannon Hartung</b>
Agency	DHP	Senior Policy Analyst	<b>Erin Barrett</b>
Agency	DHP	Executive Director, Board of Counseling	<b>Jaime Hoyle</b>
Agency	Virginia Board for People with Disabilities (state)	Deputy Director of Policy and Legislative Affairs	<b>Jen Krajewski;</b> <b>Teri Morgan</b>